

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested.
Currently, claims 2-3, 5, 7-8, 10, 12, 15 and 17-21 are pending in this application.

Request for Return of Form PTO-1449:

On December 28, 2001, an Information Disclosure Statement (IDS) including a Form PTO-1449 was filed in the subject application. As of the present date, however, an initialed and dated Form PTO-1449 has not been returned to the offices of the undersigned. Applicant therefore respectfully requests that the Form PTO-1449 be initialed and dated as an indication that the cited references have been fully considered and then returned to the offices of the undersigned.

Allowable Subject Matter:

The Office Action objected to claims 2, 7, 10 and 12 as being dependent upon a rejected base claim, but held that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By this Amendment, claims 2, 7, 10 and 17 have been rewritten in independent form. Claims 2, 7, 10 and 17 are therefore allowable.

Claim 12 has also been rewritten in independent form. Similar to allowable claims 2, 7 and 17, independent claim 12 requires, *inter alia*, "...repeating the determining step until the performance impact of each component of the power-plant on the overall thermal performance of the power-plant is determined." (*Compare, e.g.*, the above explicitly recited limitation of claim 12 and the last paragraph of now allowable claim 7

which recites the identical limitation). Applicant therefore submits that claim 12 is allowable.

Rejection Under 35 U.S.C. §103:

Claims 1, 3-6, 8-9, 11-16 and 18 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Girbig (U.S. '184). Applicant respectfully traverses this rejection with respect to still pending claims 3, 5, 8, 12, 15 and 18.

Claim 3 now depends from allowable claim 2 and is therefore allowable.

As discussed above, claim 12 has been rewritten in independent form and requires “repeating the determining step until the performance impact of each component of the power-plant on the overall thermal performance of the power-plant is determined.” This feature is identical to a feature required by allowable claim 7 (claim 7 now having been rewritten in independent form). Independent claim 18 has been amended to recite “(d) repeating step (c) for each component of the power-plant.” Applicant therefore submits that claim 18 is also allowable for reasons similar to allowable claims 2, 7 and 17.

Claim 10 has been rewritten in independent form and is therefore allowable as indicated by the Office Action. Claim 10 requires, *inter alia*, the following limitations:

“means for receiving original specification data;
means for processing the specification data to design the first thermal model;
means for measuring the performance of each component of the power-plant;
means for storing measured performance data;
means for receiving the measured performance data; and
means for processing received data to design the second thermal model.”

Independent claims 5 and 15 now require limitations similar to that of allowable claim 10. For example, claim 5 requires receiving original specification data in a computer system, processing the specification data to design a first thermal model, measuring performance data of each component of a power-plant, storing measured performance data in a data acquisition computer, receiving the measured performance data from the data acquisition computer in a processor system, and processing data received in the processor system to design a second thermal model. Applicant therefore submits that independent claims 5 and 15 are allowable for reasons similar to that of claim 10 (which has already been indicated as being allowable).

Accordingly, Applicant submits that none of the pending claims are “obvious” over Girbig and thus respectfully requests that the rejection of these claims under 35 U.S.C. §103 be withdrawn.

New Claims:

New claims 19-21 have been added to provide additional protection for the invention. New independent claim 19 requires, *inter alia*, “(d) repeating step (c) until the performance impact of at least one other selected component of the power-plant on the overall thermal performance of the power-plant is determined.” Claim 20 requires, *inter alia*, “means for repeating the determining step until the performance impact of at least one other component of the power-plant on the overall thermal performance of the power-plant is determined.” Claim 21 requires, *inter alia*, “(d) repeating step (c) for at

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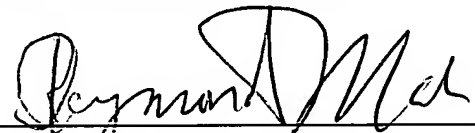
least one other selected component of the power-plant.” Applicant therefore believes that claims 19-21 are allowable.

Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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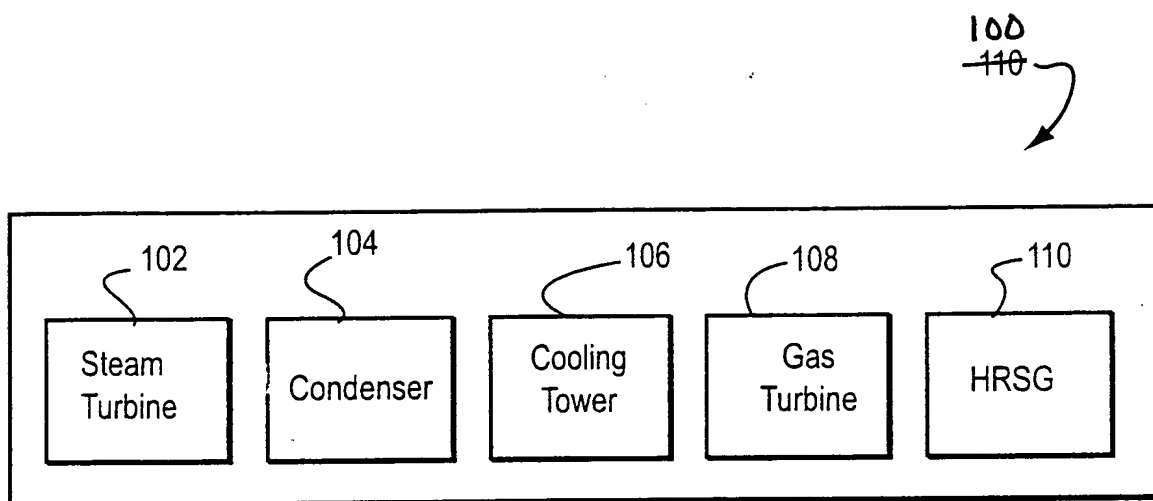


Fig.1